

AN ACT

To regulate the practice of Interior Design; to provide for the registration of qualified persons as professional Interior Designers; to create the Alabama State Board of Registration for Interior Designers; to provide for the appointment of its members; to fix the term of the members of the Board and to define the powers and duties of the Board; to provide the minimum qualifications and other requirements for registration; to establish the Interior Designer Fund; and to provide for the enforcement of this act.

Be It Enacted by the Legislature of Alabama:

Section 1. (a) As used in this act, unless a contrary meaning is clearly intended from the context in which the term appears, the following terms shall have the meanings hereinafter indicated:

(b) "Board" means the Alabama State Board of Registration for Interior Designers.

(c) "Interior Designer" means a person who is engaged, or offers to engage in, the practice of interior design in this state, as hereinafter defined, and who has been duly registered with the board in accordance with the provisions of this act.

(d) "Interior Design" means the performance of, or offering to perform, services hereinafter described, for a fee or other compensation, to another person, or to a partnership, corporation, or other legal entity, in connection with the design, utilization, furnishing or fabrication of elements in interior spaces in buildings, homes, and related structures. Such services include, but shall not be limited to, the following: programming the functional requirements for interior spaces; preparing analysis of user needs; planning interior spaces; preparing designs, drawings and specifications for selection, use, location, color, and finishes of interior materials, equipment, furnishings and furniture; and administering contracts for fabrication, procurement or installation in connection with such designs, drawings and specifications. Nothing contained herein shall preclude any person from performing, or offering to perform, any of the above-described services, provided that such person shall not be permitted to use or be identified by the title "interior designer."

Section 2. In order to safeguard public welfare and promote public good, any person practicing or offering to practice interior design, privately or in public service, shall be required to submit evidence to the board that he is qualified to practice and shall become registered as hereinafter provided. Those persons practicing or offering to practice interior design at the time this act becomes effective shall apply to become registered within one (1) year of the effective date.

Section 3. For registration as an interior designer, evidence must be submitted to the board that the applicant:

(1) has satisfactorily completed sixty (60) quarter-semester college credit hours or forty-eight (48) tri-semester college credit hours related to the field of interior design; and

(2) has satisfactorily established by written examination his competence to perform the services of an interior designer; or

(3) provides evidence of registration or licensing in another state whose requirements for registration or licensing are equivalent to Alabama's requirements and who extend the same privilege to those registered in Alabama.

Section 4. Examinations for the purpose of registration shall be held by the board at least twice a year. The board shall adopt rules and regulations covering the subjects and scope of the examinations and any exemptions therefrom as may be deemed appropriate, shall establish fees for examination as may be deemed appropriate, provided that such fees shall not exceed \$150, shall publish appropriate announcements, and shall conduct the examinations at the times and places designated.

Section 5. (a) There is hereby created the Alabama State Board of Registration for Interior Designers which shall consist of five (5) members. The board shall be appointed by the Governor from nominees submitted by the public. The board shall be comprised of the following: Three (3) members shall have been in the practice of, or engaged in the teaching of, interior design, or a combination thereof, for not less than five (5) years prior to appointment; one (1) member shall have been in active practice as an architect in this state, or engaged in the teaching of architecture in this state; one (1) member shall be a layman. The terms of office of said members shall be five (5) years, of which one term expires each year. Any vacancy occurring at any time in the membership of the board shall be filled by the Governor's appointing a successor for the unexpired term from a list of nominees submitted by the board or the public. Members of the board may not serve more than two (2) consecutive terms at a time.

(b) The members of the board shall receive no salary or other compensation for their services as members, but shall be reimbursed for reasonable and necessary expenses incurred in carrying out their duties.

(c) The board shall elect annually from its members a chairman and secretary.

(d) Three (3) members of the board shall constitute a quorum for the transaction of business, of which a majority vote is required for approval of any decision.

(e) Each member of the board shall take the oath of office as prescribed by the constitution of the state of Alabama.

Section 6. (a) The board shall have the powers and duties enumerated in this section.

(b) The board shall hold at least two meetings per year for the purpose of examining candidates for registration as interior designers. It may hold such other meetings and hearings as required for the proper performance of its duties under this act. All meetings shall be held within the state of Alabama.

(c) The board shall issue certificates of registration in accordance with this act and shall establish such fees for the issuance and renewal of such certificates; provided, however, that such fees shall not exceed \$50 per year.

(d) The board shall establish rules and regulations concerning revocation or suspension of certificates of registration as an interior designer and the grounds therefor.

(e) The board may adopt a seal for use in transacting its official business.

(f) The board shall keep a record of its proceedings and shall make an annual report thereon to the Governor and the legislature.

(g) The board shall maintain an official roster showing the name, registration number, and address of all interior designers registered under this act and in good standing.

(h) The board shall have such employees as may be provided in the annual state budget.

(i) For the purpose of enforcing the provisions of this act, the board:

(1) may conduct investigations and hold hearings concerning any matter covered by this act at any time or place within the state of Alabama;

(2) may administer oaths and affirmations, examine witnesses and receive evidence; and

(3) may seek legal or equitable relief from the state circuit courts against persons who violate the provisions of this act.

Section 7. The secretary of the board shall receive and account for all monies derived under the provisions of this act and the rules and regulations promulgated by the board and shall, not later than the tenth (10th) day of each month, pay all such monies collected during the previous month to the state treasurer, who shall keep such monies in a separate fund to be known as the "Interior Designer Fund." Such fund shall be kept separate and apart from all other monies in the treasury, and shall be paid out for the expenses of the board and for enforcing this act only by warrant of the comptroller upon the treasurer, upon itemized vouchers, approved by the chairman and attested by the secretary of the board; provided, however, that no funds shall be withdrawn or expended except as budgeted and allotted according to the provisions of Title 41, Chapter 4, Article 4, Code of Alabama 1975. Under no circumstances shall the total amount of warrants issued by the comptroller in payment of the expenses and compensation of the board and of enforcing this act exceed the amount provided therefor by the legislature from the "Interior Designer Fund" in the general appropriation bill.

Section 8. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. All laws or parts of laws which conflict with this act are hereby repealed.

Section 10. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Approved May 4, 1982

Time: 3:00 P.M.
